

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

DAGTJ

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

First named inventor: Garry Tsaur

Application No.: 10/632,773

Filed: 8/1/2003

Title: Integrated Delivery Device



Art Unit: 3751

Examiner: Khoa D. Huynh

Attention: Office of Petitions
Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450
 FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- Small entity-fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- Other than small entity – fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in the form of _____ (identify type of reply):

- has been filed previously on _____.
 is enclosed herewith.

- B. The issue fee and publication fee (if applicable) of \$ 1,000.00.
 has been paid previously on _____.
 is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

02/27/2007 6W0RDF2 000000018 10632773
 01 FC:2453

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

 Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required. A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



Signature

2 - 19 - 2007

Date

Joe Nieh

Typed or printed name

46,961

Registration Number, if applicable

18760 E. Amar Road, #204

Address

(626) 964-4227

Telephone Number

Walnut, CA 91789

Address

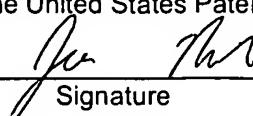
Enclosures: Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: _____**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

 Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

2 - 19 - 2007

Date



Signature

Joe Nieh

Typed or printed name of person signing certificate

Application No.: 10/632,773
Petition dated: February 19, 2007

Response to Notice of Abandonment of: December 28, 2006



In the United States Patent and Trademark Office

Application Number: 10/632,773

Applicant: Garry Tsaur

Application Filed: August 1, 2003

Application Title: Integrated Delivery Device

Examiner / GAU: Khoa D. Huynh / 3751

Mailed: February 19, 2007
At: Rancho Cucamonga, California

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement of Facts Supporting Petition Under 37 C.F.R. § 1.137(b) For Revival Of An Application For Patent Abandoned Unintentionally

I, Joe Nieh, declare that:

1. I am the attorney of record for the applicant in the above referenced US utility patent application.
2. I have personal knowledge of all facts stated herein.
3. The above mentioned US utility patent application was filed on August 1, 2003.

Application No.: 10/632,773

Petition dated: February 19, 2007

Response to Notice of Abandonment of: December 28, 2006

4. On August 29, 2006, the Notice of Allowance and Fee(s) Due was mailed from the USPTO.

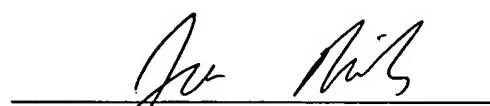
5. The due date for the payment of the issue fee and publication fee was November 29, 2006.

6. I had failed to docket the due date for the payment of the fees in my docketing system.

7. Subsequently, I received the Notice of Abandonment mailed December 28, 2006 from the USPTO.

8. The entire period of delay, from the due date of the issue fee and the publication fee to the date of the filing of this petition, was unintentional.

This statement of facts is made under penalty of perjury and willful false statements are punishable under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.



Joe Nieh
Registration Number: 46,961
18760 E. Amar Road, #204
Walnut, CA 91789
Tel: (626) 964-4227
Fax: (626) 854-5717
E-Mail: nieh@justice.com